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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Robert A. Weaver *et al.*

APPLICATION No.: 09/733,608

FILED: December 8, 2000

FOR: **METHOD AND APPARATUS FOR
PROCESSING A MICROELECTRONIC
WORKPIECE AT AN ELEVATED
TEMPERATURE**

EXAMINER: Sikyin Ip

ART UNIT: 1742

CONF. No: 4198

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Terminal Disclaimer

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Semitool, Inc., Assignee of

☒ the entire right, title and

in the above-identified patent application by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 010711, Frame 0822 on March 12, 2000, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154 to §156 and §173, as presently shortened by any terminal disclaimer, of

*U.S. Patent No. 6,471,913 issued October 29, 2002.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the above-listed patents and/or patent applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §154 to §156 and §173 of the above-listed patents and/or applications, as presently shortened by any terminal disclaimer, in the

event that said patent(s)/application(s) later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

1. Authority of Undersigned

The undersigned is an attorney or agent of record.

2. Fee Payment

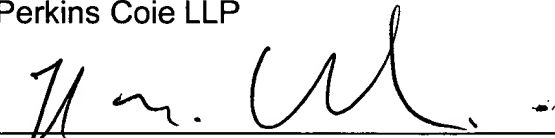
☒ A check covering the Terminal Disclaimer fee under 37 CFR 1.20 is enclosed:

☒ Large entity (\$110.00)

☐ Small entity (\$55.00)

☐ Please charge the above fee, and any other fee necessary for entry of this Terminal Disclaimer, to Deposit Account No. 50-0665.

Respectfully submitted,
Perkins Coie LLP



John M. Wechkin
Registration No. 42,216

Date: March 31, 2003

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SUBJECT DECISION ON TERMINAL DISCLAIMER INFORMAL FORM

DATE: _____

APPL. S.N.: 091 733608

EXAMINER: IP

ART UNIT: 1742

PARALEGAL: DEBBIE THOMAS

MAILROOM DATE: 3-31-03

AFTER FINAL: YES ___ NO X

NUMBER OF T.D.(S) FILED: 1

INSTRUCTIONS: I have reviewed the submitted T. D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next office action to notify applicant about the T. D. If you disagree any analysis or have questions at all about the acceptability of the T.D., please see our Special Program Examiner or me.

THIS MEMO IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE MAILED TO APPLICANT, NOR SHOULD A COPY BE LEFT IN FILE. WHEN YOUR OFFICE ACTION IS COMPLETED, YOU MUST INITIAL AND DATE & RETURN THIS TO PARALEGAL.

- ☒ The T. D. is PROPER and has been recorded. (See 14.23)
- ☐ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below. (See 14.24)
- ☐ The recording fee of \$ _____ has not been submitted nor is there any pre authorization in the application to charge a deposit account. (See 14.25)
- ☐ Application Examiner has not processed fee for T. D.
- ☐ The T.D. does not satisfy Rule 321(b)(3) in that the person who has signed the T. D. has not stated his/her interest and the extent of the interest of the business entity represented by the signature in the application/patent. (See 14.26)
- ☐ The T. D. lacks the enforceable only during the common ownership clause needed to overcome a double patenting Rule 321(c). (See 14.27 and 14.27.1)
- ☐ T. D. is directed to a particular claim(s), which is not acceptable since the disclaimer must be of a terminal portion of the entire patent to be granted, MPEP 1490. (See 14.26 and 14.26.2)
- ☐ The person who signed the terminal disclaimer:
- ☐ has failed to state his/her capacity to sign for the business entity. (See 14.28)
 - ☐ is not recognized as an officer of the assignee. (See 14.29.1)
- ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the frame specified as to where such evidence is recorded in the office. 37CFR 3.73(b). (See 1140 O.G. 72) NOTE: This documentary evidence or the specifying of the reel and frame may be found in the T.D. or in a separate paper submitted by applicant. (See 14.30)
- ☐ No "STATEMENT" specifying that the evidentiary documents have been reviewed and that, to the best of the assignee knowledge and behalf the file is in the assignee seeking to take action 37 CFR 3.73(b). (See 1140 O.G. 72)
- ☐ The T. D. is not signed (See 14.26 and 14.26.3)
- ☐ Attorney is not of record in the oath/declaration or a separate paper filed appointing a new or associate attorney, nor is there a customer number.
- ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting is missing or incorrect. (See 14.32)
- ☐ The serial number of this application (or the number of the patent in reexam or reissue case(s) being disclaimed is missing or incorrect. (See 14.26, 14.26.4 or 14.26.6)
- ☐ The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3)
- ☐ Other _____